IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

WEDNESDAY, THE SECOND DAY OF MARCH
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE N.V. RAMANA

WRIT PETITION NO : 23679 of 1998

Between:

G.Babu Rao, S/o Sri Chinna Rao, R/o Simhachalam ,
Chinnagadili Mandal , Vishakapatnam District.

..... PETITIONER

AND

1 The Commissioner of Endowments Govt. of A.P
Boggulakunta , Hyderabad
2 The Executive Officer, Sri Varaha Lakshmi narasimha Swamy vari Devasthanam , Simhachalam , Vishakapatnam District.
3 Tirumala Reddy Ramana S/o Late.Suryanarayana, R/o Thotavari Veedhi , Simhachalam , Vishakapatnam .

(R.3 is impleaded as per Court order dated 11-10-2000,
in W.P.M.P. No.24066 of 2000)

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to to issue an appropriate Writ order an Direction more particularly one in nature of Writ of Mandamus declaring the action of the respondents in not delivering the possession of canteen 2 of Sri Varaha Lakshmi Narasimha Swamy vari Devasthanam, Simhachalam, Vishakapatnam to the petitioner though he is the highest bidder and paid an amount of Rs. 1.14,000/- as arbitrary , unconstitutional and consequently direct the respondents to deliver possession of the canteen 2 together with furniture to the petitioner immediately.

Counsel for the Petitioner: MR.R.M.REDDY

Counsel for the Respondent Nos.1 and 2: GP FOR ENDOWMENTS

Counsel for the Respondent No.3: Mr. Paravasthu Krishna

The Court made the following :

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ORDER:

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This writ petition is filed, seeking to declare the action of the respondents in not delivering possession of CanteenNo.2 of Sri Varaha Lakshmi Narasimha Swamy vari Devasthanam, Simhachalam, Visakhapatnam District to the petitioner who is the highest bidder and paid an amount of Rs.1,14,000/-, as arbitrary and unconstitutional, and consequently to direct the respondents to deliver possession of the Canteen with furniture to the petitioner.

When the matter came up today for hearing, none appears for the petitioner as well as the respondents.

It is stated in the affidavit filed by the petitioner in support of the writ petition that the auction for the lease hold rights of the Canteen in question was conducted on 24-06-1998, and that the lease is for a period of three years. Obviously, the cause in this writ petition must have elapsed by now.

Therefore, the writ petition is dismissed as having become infructuous. No costs.

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N.V. RAMANA, J

Date: 02-03-2005

Svv

..... REGISTRAR

// TRUE COPY //

SECTION OFFICER

To

1 The Commissioner of Endowments Govt. of A.P
Boggulakunta , Hyderabad
2 The Executive Officer, Sri Varaha Lakshmi narasimha Swamy vari Devasthanam , Simhachalam , Vishakapatnam District.
3 Two CCs. to the Government Pleader for Endowments, High Court Buildings, A.P., Hyderabad (OUT).

4 Two CD copies

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